

RULE 7

MOTIONS AND MEMORANDA OF LAW

(a) Submission of Motions and Supporting Memoranda

All matters submitted to the Court for consideration shall be presented by written motion filed with the Clerk incorporating a memorandum of law, including citations and supporting authorities. Affidavits and other documents setting forth the facts on which the motion is based shall be filed with the motion.

(b) Objection to Motions

Unless within ten (10) days after the service of a motion the opposing party files written objection thereto, incorporating a memorandum of law, the opposing party shall be deemed to have waived objection.

Any objection shall include citations and supporting authorities and affidavits and other documents setting forth or evidencing facts on which the objection is based. The deemed waiver imposed herein shall not apply to motions filed during trial.

(c) Reply Memorandum

With prior leave of Court and within seven (7) days of the service of any objection to a motion, the moving party may file a reply memorandum, which shall not exceed ten (10) pages in length and which shall be strictly confined to replying to new matter raised in the objection or opposing memorandum.

(d) Calculation of Time

The time periods for objection to motions and for filing reply memoranda shall be determined in accordance with Fed. R. Civ. P. 6(a).

(e) Form and Length of Motions

All memoranda shall be typed, printed, or prepared by a clearly legible duplication process, on 8-1/2 x 11 inch white paper, in a font size no smaller than ten (10) characters per inch or, if a proportionately spaced font is used, no less than twelve (12) points. All text shall be double-spaced except for quoted material, and all pages shall be consecutively numbered preferably at the bottom center of each page. Footnotes should be used sparingly. Complaints, motions and supporting memoranda shall be stapled or otherwise attached but shall not be permanently bound, and may be double-punched at the top to facilitate filing.

Except by prior leave of Court, no memorandum of law in support of or in opposition to a non-dispositive motion shall exceed fifteen (15) pages. Except by prior leave of Court, no memorandum of law in support of or in opposition to a motion to dismiss, a motion for judgment on the pleadings, a motion for summary judgment, a motion for injunctive relief, or an appeal from the recommended decision of a magistrate judge shall exceed twenty-five (25) pages. No reply memorandum shall exceed ten (10) pages.

(f) Form and Length of Appendices, Exhibits and Attachments to Motions

Appendices, exhibits and attachments which exceed fifty (50) pages shall be permanently bound on the left side. When an appendix or attachment includes more than one exhibit, it shall also include a table of contents or index, and each exhibit shall be separately numbered and marked with a tab. All documents submitted to the Court as exhibits shall be complete, legible copies. Counsel shall not write any comments or make legal arguments on such exhibits.

(g) Written Submissions and Oral Argument

All motions shall be decided by the Court without oral argument unless otherwise ordered by the Court on its own motion or, in its discretion, upon request of counsel.